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E.O. 12958: DECL: 10/23/2017
TAGS: [SNAR](#) [PREL](#) [ASEC](#) [TRSY](#) [JM](#)
SUBJECT: JAMAICA: APPOINTMENT OF WELL KNOWN ANTI-CORRUPTION
FIGHTER TO MINISTRY OF FINANCE

REF: KINGSTON 1464

Classified By: DCM James T. Heg for reasons 1.4. (b) & (d)

¶1. (C) Summary: As anticipated, on October 22, the Jamaican Minister of Finance, Audley Shaw, appointed Col. Trevor MacMillan as a Special Advisor on Revenue and Corruption. The Prime Minister asked the Finance Minister to appoint MacMillan as a Special Advisor to provide him with an official status within the Golding Government, until such time as the GOJ is able to redraft and pass the necessary legislation to create the National Independent Investigative Authority Act. The NIIA will consolidate and coordinate all public corruption investigations. MacMillan has stated that he will not head another toothless, under-resourced agency. Prime Minister Golding ran on an anti-corruption campaign. The appointment of MacMillan, who is a known anti-corruption fighter, is a small signal that the GOJ is moving in the right direction. End Summary.

¶2. (C) On October 17, MacMillan met with the NAS Director, and UK and Canadian High Commissioners to outline Prime Minister Golding's plans to resuscitate the dormant legislative initiative for the NIIA and the intention of the GOJ to appoint him as Special Advisor to the Minister of Finance for Anti-Corruption and Revenue. It was widely speculated prior to and just after Bruce Golding's election as Prime Minister that MacMillan would end up as either a Special Advisor to Golding, or as a Special Advisor to Derrick Smith, Minister of National Security. A personality conflict between MacMillan and Smith (MacMillan has made no bones about his opinion that Smith has neither the technical capability nor the backbone for the job) prevented MacMillan's appointment to either position. The Ministry of Finance appointment will permit MacMillan to have an official status within the government until the NIIA legislation can be revised, presented in Parliament, passed; and implemented.

3, (C) During our meeting with MacMillan, we all expressed concerns that the current draft NIIA legislation, which was prepared by the former Minister of National Security (Reftel), is so toothless as to be unacceptable. For example, under the current legislative structure, the Authority would have to ask Cabinet for approval to launch any investigation, and the Authority has no arrest powers. MacMillan agreed with our assessment and told us that unless the legislation is altered to his satisfaction to create a truly independent Authority, with police powers and full discretion over public corruption investigations, he would not agree to head it.

¶4. (C) MacMillan called on the U.S., UK and Canada to exercise the maximum political leverage to ensure that the NIIA legislation is properly amended, in a timely fashion. We all agreed that a strong NIIA was in everyone's interest

and pledged support to the fight to see the Authority launched. However, we all pointed out that it will take more than just our lobbying efforts to get this done. The UK High Commissioner put it most bluntly when he stated that unless Bruce (Golding - PM) is willing to stick his neck out and push for this it will fail despite any effort Jamaica's international partner will make. Both the UK and Canadian High Commissioner chose to use Drug Don and JLP financial supporter, Christopher Coke as an example, asking MacMillan to pass on to the Prime Minister their view that unless Coke was going to be one of the Agency's top targets, that their governments couldn't support it. As Coke is the subject of a current DEA investigation, the NAS Director did not address Coke directly but simply added that we too would not accept it if the NIIA played political favorites when it chooses who to investigate.

15. (C) Comment: MacMillan, who is a retired Jamaica Defence Force Officer, has a reputation as a hard-nosed, uncompromising anti-corruption fighter. During his three-year stint as Police Commissioner, he was able to effect positive change within the organization. If given the power he seeks to conduct public corruption investigations at the highest level, he could do much to root out this pervasive problem in Jamaica. End Comment
JOHNSON